

Remarks

Claim 1 has been amended as shown above. Support for the amendment may be found in the written description at, e.g., page 2, lines 9-11 and page 6, lines 15-18. Following entry of this amendment, claims 1, 3-19 and 36 will be pending in this application.

Rejection of Claims 1, 3-19 and 36 under 35 U.S.C. §112

Claims 1, 3-19 and 36 were rejected under 35 U.S.C. §112, first paragraph as failing to comply with the written description requirement, on grounds that:

"The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

"Independent claim 1 has been amended to recite a coated resilient floor comprising an intermediate acrylic coating and a hardenable waterborne urethane or acrylate overcoat "wherein the overcoat and intermediate coating will later dry or otherwise harden". However there is no support for such an amendment in the original disclosure, i.e., the Specification or the original claims. The Specification on Page 8, lines 24 to 30 specifically states that "one or more coats of the waterborne overcoat (diluted if necessary with additional water or another suitable cosolvent) can be applied to the intermediate coating as soon as the intermediate coating has dried to the touch". Hence, there is no support for a coated resilient floor wherein both the intermediate acrylic coating and the [hardenable] waterborne urethane or acrylate overcoat will later dry or otherwise harden. Appropriate amendment or clarification is required. Applicants are reminded that any prior art rejections of record may be reapplied upon the cancellation of the new matter in the claims." (see the Final Rejection at pages 2-3, numbered paragraph 2).

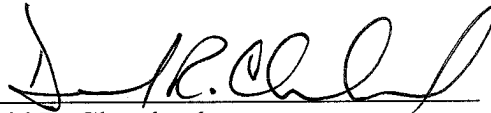
Reconsideration is requested. Applicants have amended claim 1 as shown above and thus the rejection should now be moot. Applicants request withdrawal of the 35 U.S.C. §112, first

paragraph rejection of claims 1, 3-19 and 36 and passage of the application to the issue branch. The Examiner is also encouraged to telephone the undersigned attorney at 612-331-7412 if any questions regarding this application remain unresolved.

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Respectfully submitted on behalf of
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A handwritten signature in black ink, appearing to read 'D. R. Cleveland', written over a horizontal line.

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